IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

WP(C).No. 22460 of 2007(W)

PETITIONER:

MOHAMMED SHEREEF, ALIKKAL HOUSE,
MELE PATTAMBI, PALAKKAD.

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:
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1. THE DEPUTY TAHSILDAR, REVENUE RECOVERY,
OTTAPALAM.

2. THE REVENUE SECRETARY,
REVENUE DEPARTMENT, SECRETARIAT,
TRIVANDRUM.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN,J

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W.P.(C).No.22460 of 2007

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Dated this the 23rd day of July 2007

JUDGMENT

The petitioner challenges Exts.P1 and P2 revenue recovery notices by which the petitioner has been directed to pay arrears of Motor Vehicle Tax due from the petitioner. Petitioner submits that before issue of Exts.P1 and P2 petitioner was not favoured with a demand notice and therefore, Exts.P1 and P2 are unsustainable. However the petitioner submits that the petitioner would pay the amount if given some time. The learned Government Pleader opposes the prayer.

Having heard both sides, I dispose of the writ petitioner with the following directions:

Petitioner shall pay an amount of Rs.40,000/- within two weeks from today. Balance shall be paid in ten equal monthly instalments starting from 16.8.2007. The subsequent instalments shall be paid on the first working day after 15th of every succeeding month. If the petitioner pays the amounts as directed above, further proceedings pursuant to Exts. P1 and P2 shall be kept in abeyance. However, if the petitioner defaults

payment of either the Rs.40,000/- or any of the subsequent instalments, it would be open to the respondents to continue the proceedings in accordance with Exts.P1 and P2 without having to issue any fresh notice or proceedings in that regard.

S.SIRI JAGAN, JUDGE

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